



1615 EPN

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicants: ZUCCARELLI et al.

Serial No: 09/830,101

Group Art Unit: 1615

Filed: November 3, 1999

Examiner: Micah Paul Young

Att. Docket No.: C1190/20007

Confirmation No.:2827

For: Particles Coated with Granulated Crystalline Ibuprofen

AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of February 25, 2004, Applicants respectfully submit the following remarks:

REMARKS

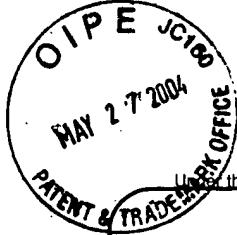
Claims 10-18, 20 & 21 are rejected under 35 USC 103(a) as being unpatentable over Myers et al. (US 5,733,577), Dunn et al. (US 4,308,251) and Carli et al. (US 5,725,824).

Applicants respectfully traverse this ground of objection.

The Examiner believes that Carli et al. and Dunn et al. "*provide the theory to the coating of granulated ibuprofen with cellulose derivatives and silica products*".

Applicants respectfully disagree.

First of all, the Applicants' interpretation of Dunn et al. regarding the presence of a surface coating layer is divergent from that of the Examiner. A critical review of the manufacturing process of Dunn et al. clearly reveals that the tablets are prepared by a wet granulation method that is followed by direct compression to produce matrix-types tablets (column 3-4 lines 66-6, column 5 lines 55-67). Such matrix-types tablets are characterized by the fact



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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/830,101	
	Filing Date	3/5/02	
	First Named Inventor	Zuccarelli, et al	
	Art Unit	1615	
	Examiner Name	Micah-Paul Young	
Total Number of Pages in This Submission		Attorney Docket Number	C1190/20007

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form (In duplicate)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd. Alan H. Bernstein, Esquire
Signature	
Date	May 25, 2004

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Typed or printed name	Alan H. Bernstein	
Signature		Date
		May 25, 2004

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